

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>RAINES FELDMAN LITTRELL LLP Robert S. Marticello, State Bar No. 244256 rmarticello@raineslaw.com Michael L. Simon, State Bar No. 300822 msimon@raineslaw.com 4675 MacArthur Ct, Suite 1550 Newport Beach, CA 92660 Telephone: (310) 440-4100 Facsimile: (310) 499-4877</p> <p><input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: The Original Mowbray's Tree Service, Inc.</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION</p>	
<p>In re:</p> <p>THE ORIGINAL MOWBRAY'S TREE SERVICE, INC.,</p> <p style="text-align: right;">Debtor(s).</p>	<p>CASE NO.: 8:24-bk-12674-TA CHAPTER: 11</p> <p style="text-align: center;">APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [LBR 9075-1(b)]</p>

1. Movant applies under LBR 9075-1(b) for an order setting a hearing on shortened notice on the following motion:
 - a. Title of motion: Debtor's Motion for Entry of Order Authorizing Continued Use of Cash Collateral
 - b. Date of filing of motion: 4/8/2025
2. Compliance with LBR 9075-1(b)(2)(A): (***The following three sections must be completed***):
 - a. Briefly specify the relief requested in the motion:

The Original Mowbray's Tree Service, Inc., the debtor and debtor-in-possession in the above-captioned case (the "Debtor"), requests authorization to continue to use cash collateral in accordance with the 13-week budget attached to the Motion as Exhibit 1 and pursuant to the terms set forth in the Motion.

- b. Identify the parties affected by the relief requested in the motion:

PNC Bank, the only creditor holding a lien in the Debtor's cash.

- c. State the reasons necessitating a hearing on shortened time:

The Debtor is currently authorized to use cash collateral through April 18, 2025. The Debtor required additional time to finalize its proposed budget and confirm certain of the expenses therein. Due to the timing of the proposed budget's completion and in order to avoid a disruption to the Debtor's operations and the resulting revenues to be generated from such, the Debtor requires a hearing on shortened notice.

The Debtor requires court approval to use cash collateral by April 23, 2025 to pay payroll in the ordinary course of business. Accordingly, the Debtor requests a hearing by April 22, 2025.

3. Compliance with LBR 9075-1(b)(2)(B): The attached declaration(s) justifies setting a hearing on shortened notice, and establishes a *prima facie* basis for the granting of the motion.
4. Movant has lodged a proposed Order Setting Hearing on Shortened Notice on mandatory form F 9075-1.1.ORDER .SHORT.NOTICE

Date: 4/8/2025

Raines Feldman Littrell LLP

Printed name of law firm

/s/ Robert S. Marticello

Signature of individual Movant or attorney for Movant

Robert S. Marticello

Printed name of individual Movant or attorney for Movant

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Counsel for The Original Mowbray's Tree Service,
Inc., Debtor and Debtor-In-Possession

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re:

THE ORIGINAL MOWBRAY'S TREE
SERVICE, INC.,

Debtor and Debtor-in-Possession.

Case No: 8:24-bk-12674-TA

Chapter 11

**DECLARATION OF ROBERT S.
MARTICELLO IN SUPPORT OF
APPLICATION FOR ORDER
SHORTENING TIME FOR NOTICE
OF HEARING ON DEBTOR'S
MOTION FOR ENTRY OF ORDER
AUTHORIZING CONTINUED USE
OF CASH COLLATERAL**

DECLARATION OF ROBERT S. MARTICELLO

I, Robert S. Marticello, declare as follows:

1. I am an attorney with Raines Feldman Littrell LLP, counsel of record for The Original Mowbray's Tree Service, Inc., the debtor and debtor-in-possession in the above-captioned case (the "**Debtor**"). I know each of the following facts to be true of my own personal knowledge except as otherwise stated and, if called as a witness, I could and would competently testify with respect thereto. I make this declaration in support of the *Application for Order Shortening Time for Notice of Hearing on Debtor's Motion for Entry of Order Authorizing Continued Use of Cash Collateral* (the "**Application**"). Unless otherwise defined in this declaration, all terms on the Application are incorporated by this reference.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

4675 MacArthur Ct, Suite 1550, Newport Beach, CA 92660.

A true and correct copy of the foregoing document entitled (*specify*): **APPLICATION FOR ORDER SETTING HEARING ON SHORTENED NOTICE [LBR 9075-1(b)]** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **4/8/2025**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) **4/8/2025**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **4/8/2025**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

4/8/2025

Date

Ja'Nita Fisher

Printed Name

/s/ Ja'Nita Fisher

Signature

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):

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